

Serial No. 09/926,712  
Response to Office Action of January 14, 2004

#### REMARKS

Claim 1 has been limited in respect of the definitions of L and Lp(D)<sub>n</sub>, in accordance with the restriction requirement. The definitions of R<sub>1a</sub> and R<sub>1j</sub>, and the definitions of Lp, D and n have been merged respectively into definitions of R<sub>1j</sub> and Lp(D)<sub>n</sub>. The words "serine protease inhibitor" have also been deleted from the preamble to the claim.

The words "is a CH group" have been deleted from the definition of Y in Claim 6, since these are redundant.

Claims 20 and 42 have also been limited in accordance with the restriction requirement.

Claims 12, 29, 32, 34 to 39 and 41 have been canceled.

Applicants reserve the right to pursue claims to any of the originally disclosed subject matter in a divisional application.

#### RESTRICTION UNDER 35 U.S.C. § 121

Applicants note that the restriction requirement has been made final, and that Claims 16-18 stand withdrawn from further consideration.

Claim 1 has been restricted to the compounds of Group XIV, by deleting values for L and Lp.

#### SPECIFICATION

An abstract has been added on a separate sheet, as requested by the Examiner in accordance with 37 C.F.R. 1.72(b). However, it is noted that this is the national stage of an international application; and the Examiner's attention is drawn to MPEP 1893.03(e), particularly the second paragraph of the right hand column of page 1800-157.

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**CLAIM REJECTIONS - 35 U.S.C. § 112**

The Examiner has made several rejections of Claims 1, 6, 29, 32, 34 and 35 under 35 U.S.C. § 112.

In Claim 1, term "serine protease inhibitor" has been deleted from the preamble, and the term  $R_{1a}$  has been replaced with the term  $R_{1j}$ . The terms  $L_p$ ,  $D$  and  $n$  have also been replaced with the single term  $L_p(D)_n$ .

Claim 6 has been amended by deleting the words "is a CH group".

Claim 29 and the dependent claims have been canceled.

**CLAIM REJECTIONS - 35 U.S.C. § 102**

Claims 1, 6, 8-10, 12, 19-21, 23, 27-29, 32, 34-39 and 41 stand rejected under 35 U.S.C. § 102 as allegedly being anticipated by Suzuki (US 5,182,284).

It is respectfully submitted that the claims as amended are novel over the disclosure of Suzuki. In the compounds now claimed in the instant application, the substituents on piperazine are different from those disclosed by Suzuki.

**CLAIM REJECTIONS - 35 U.S.C. § 103**

Claims 1, 6, 8-10, 12, 19-21, 23, 27-29, 32, 34-39 and 41-43 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Gong (US 6,339,087).

It is respectfully submitted that the claims as amended are novel over the disclosure of Gong. In the compounds now claimed in the instant application,  $L$  is  $CO$ .

**CONCLUSION**

Applicant has amended the claims to address all of the issues raised by the Examiner in the Office Action. It is

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respectfully submitted that the present application is now in order for allowance.

#### **FUTURE COMMUNICATION BY TELEPHONE**

If the Examiner wishes to speak by telephone with the undersigned in the future, the undersigned can be contacted by e-mail at martinahay@martin-a-hay.com, and would be pleased to telephone the Examiner in response. Alternatively, the Examiner can contact Linda McDonald at (317) 433 7140 and leave a message, which will be forwarded to the undersigned. Linda works for Eli Lilly and Company, the assignee of the rights in this application.

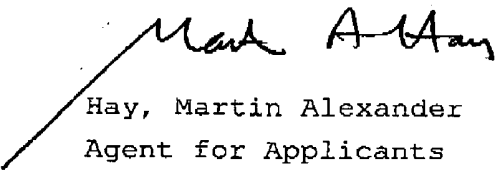
#### **PRINTER PROBLEM WITH PREVIOUS RESPONSE**

The undersigned has noted that, due to a printer problem, the response to the previous office action did not contain underlining to show where matter had been inserted into the claims. The undersigned apologizes for any inconvenience that this may have caused. If the Examiner would like the previous response to be resubmitted with the underlining showing, he is kindly requested to contact the undersigned or Linda McDonald as described above under "Future Communication by Telephone".

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A notice of allowance is earnestly sought.

Respectfully submitted,

  
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